

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

STATE OF TEXAS,
STATE OF MISSOURI,

Plaintiffs,

v.

JOSEPH R. BIDEN, JR.,
in his official capacity as
President of the United States, *et al.*,

Defendants.

NOTICE OF APPEAL

Pursuant to 28 U.S.C. § 1292(a)(1) and Federal Rule of Appellate Procedure 3, notice is hereby given that Defendants appeal to the United States Court of Appeals for the Fifth Circuit from the Court's Opinion and Order of December 15, 2022, ECF No. 178, granting Plaintiffs' Motion to Postpone the Effective Date of Agency Action.

Dated: February 13, 2023

Respectfully submitted,

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/s/ Brian C. Ward
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CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2023, I electronically filed this notice of appeal with the Clerk of the Court for the United States District Court for the Northern District of Texas by using the CM/ECF system. Counsel in the case are registered CM/ECF users and service will be accomplished by the CM/ECF system.

/s/ Brian C. Ward
BRIAN C. WARD
U.S. Department of Justice